

DEPARTMENT OF DEFENSE

Office of the Secretary

Draft Department of Defense Directive 5500.17, "Role and Responsibilities of the Joint Service Committee (JSC) on Military Justice"

AGENCY: General Counsel of the Department of Defense.

ACTION: Notice of availability.

SUMMARY: Executive Order 12473, July 13, 1984, states that the Secretary of Defense shall cause the Manual for Courts-Martial to be reviewed annually and recommend to the President any appropriate amendments. Under the direction of the General Counsel of the Department of Defense, a Joint Service Committee on Military Justice (JSC) has been established to accomplish this review and make recommendations for amendments to the Manual. Department of Defense Directive 5500.17, "Role and Responsibilities of the Joint Service Committee (JSC) on Military Justice" provides for the organization, functions, and procedures applicable to the JSC and the annual review process. The Office of Management and Budget (OMB) has provided all government agencies guidelines for ensuring and maximizing the quality, objectivity, utility, and integrity of information disseminated to the public. OMB has directed the agencies to publish a notice in the **Federal Register** by May 1, 2002, that their draft policies complying with the OMB requirement are available for public view and comment on their public Web sites. The draft Department of Defense Directive is available on the Deputy General Counsel (Personnel and Health Policy), Office of the General Counsel public Web site located at <http://www.defenselink.mil/dodgc/php>.

DATES: Consideration will be given to all comments received on or before January 17, 2003.

ADDRESSES: Submit comments to Robert E. Reed, ODGC (P&HP), Office of the General Counsel of the Department of Defense, 1600 Defense Pentagon, Room 3E999, Washington, DC 20301-1600.

FOR FURTHER INFORMATION CONTACT: Mr. Robert E. Reed, ODGC (P&HP), 703-695-1055, reedr@osdgc.osd.mil.

Dated: September 24, 2002.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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DEPARTMENT OF ENERGY

Waste Isolation Pilot Plant Disposal Phase Supplemental Environmental Impact Statement

AGENCY: U.S. Department of Energy.

ACTION: Amendment to a Record of Decision.

SUMMARY: The U.S. Department of Energy (DOE) has decided to revise its approach for managing approximately 0.97 metric tons (MT) of plutonium-bearing materials (containing about 0.18 MT of surplus plutonium) that are currently located at the Rocky Flats Environmental Technology Site (RFETS). The Department has decided to repackage and transport these materials for direct disposal as transuranic waste (TRUW) at the Waste Isolation Pilot Plant (WIPP) near Carlsbad, New Mexico instead of shipping them to the Savannah River Site (SRS) in South Carolina for storage pending possible disposition. These materials will be repackaged to meet the WIPP waste acceptance criteria (WAC) for TRUW and safeguards termination requirements. DOE has prepared a supplement analysis for this action pursuant to 10 CFR 1021.314, entitled *Supplement Analysis for the Disposal of Certain Rocky Flats Plutonium-Bearing Materials at the Waste Isolation Pilot Plant (WIPP SA)* (DOE/EIS-0026-SA-3, November 2002). On the basis of that document, DOE has concluded this action would not result in significant environmental impacts or in impacts significantly different from those analyzed in the *Waste Isolation Pilot Plant Disposal Phase Supplemental Environmental Impact Statement (SEIS-II)* (DOE-EIS-0026-FS2, September 1997).

ADDRESSES: Copies of the SEIS-II, the WIPP SA, this Amended Record of Decision, and other documents referenced herein, can be obtained by contacting the Center for Environmental Management Information, P.O. Box 23769, Washington, DC 20026-3769, telephone 1-800-736-3282 (in Washington, DC: 202-863-5084).

FOR FURTHER INFORMATION CONTACT: For information concerning the management of plutonium-bearing materials currently stored at Rocky Flats, contact: Dr. W. Eric Huang, Program Manager, Rocky Flats Office (EM-33), Office of Site Closure, Environmental Management, U.S. Department of Energy, 19901 Germantown Road, Germantown, MD 20874, Telephone: 301-903-4630.

For information concerning DOE's National Environmental Policy Act

(NEPA) process, contact: Ms. Carol Borgstrom, Director, Office of NEPA Policy and Compliance (EH-42), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, Telephone (202) 586-4600, or leave a message at 1-800-472-2756.

SUPPLEMENTARY INFORMATION:**Background**

Historically, Rocky Flats has used a material identification system that segregated plutonium-bearing materials by process origin and/or to designate the subsequent process steps for plutonium recovery and recycle. The categorization is known as Item Description Codes (IDCs). In January 1993, these IDCs were grouped into two major categories, Product and Residue, in order to plan and manage the future disposition of the Site's plutonium-bearing materials. The characterization of plutonium-bearing materials as Product or Residue was based on the average plutonium concentration of each IDC, the relative ease or difficulty of recovery, and/or whether an IDC was traditionally considered Product or Residue. In general, the Product category was comprised of IDCs with average plutonium concentrations greater than 50 percent by weight. However, an IDC could be designated as residue material although some individual items within this IDC exceed 50 percent by weight. Similarly, an IDC could be designated as Product material although some individual items within this IDC are less than 50 percent by weight.

DOE has already decided to dispose of the Residue materials at WIPP as transuranic waste (TRUW).¹ See "Record of Decision on the Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site," 63 FR 66136 (December 1, 1998) and "Amended Record of Decision on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site," 66 FR 4803 (January 18, 2001). The Product materials were originally part of a set of materials destined to be repackaged and sent to the Savannah River Site (SRS) for storage and possible subsequent disposition. See "Record of Decision on the Storage and Disposition of Weapons-Usable Fissile Materials," 62 FR 3014 (January 21, 1997) and "Amended Record of Decision on the

¹ For waste classification, DOE specifically defines TRUW as waste containing more than 100 nanocuries of alpha emitting transuranic isotopes per gram of waste with half-lives greater than 20 years except as noted in Chapter III of DOE Guide 435.1-1.